

# COMMITTEE ON GOVERNMENT

Representative Michelle Ugenti, Chairman  
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\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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**HB 2100 – Chapter 130 – address confidentiality program**

Allows an eligible participant in the Address Confidentiality Program (ACP) to attach a copy of their current and valid ACP card and a statement of certification from the SOS to their affidavit request for confidentiality in documents maintained by the county recorder, county assessor and county treasurer. Increases the time participants are certified into the ACP from four years to five years.

**HB 2126 – Chapter 256 – municipal annexation; size exception**

Modifies part of the definition of *contiguous* for the purposes of municipal annexation and contains a delayed repeal date of January 1, 2015 for this provision. Contains session law that reformulates the manner of determining the majority of votes cast in a city council or mayoral election in 2014-15 and establishes guidelines for these candidates to be elected at the primary or to advance to the general or runoff election.

**HB 2134 – Chapter 198 – fire; building; life safety; continuation**

Continues DFBLS for eight years and applies retroactively to July 1, 2014.

**HB 2148 – Chapter 134 – municipalities; counties; transfer; right-of-way**

Clarifies that a transfer of property between governing bodies of a county and a municipality must be treated as newly annexed territory. Outlines procedures for a county street light improvement district (SLID) to be converted to a municipal SLID.

**HB 2162 – Chapter 31 – city or town council; vacancy**

Asserts that if any member on a city or town council ceases to be a qualified elector or resident of that municipality, then their council seat must be deemed vacant. Requires the county attorney to investigate, on request, and determine whether a vacancy exists.

**HB 2179 – Chapter 259 – \*trampoline court safety**

Establishes regulations for trampoline court owners and operators under the administration of the DFBLS. Gives existing trampoline courts 90 days after the general effective date to comply with this Act.

**HB 2218 – Chapter 260 – fire district reorganization elections**

Requires candidates in a fire district reorganization election to follow statutory nomination procedures, modifies time frames for canvassing election returns and removes the ability to reorganize a fire district board to be administered by an elected chief. Specifies that reorganization election ballots must also provide, as a separate race, the names of persons who properly filed for nomination as candidates for the office of district board member.

**HB 2225 – Chapter 88 – county medical examiner; autopsies; images**

Prohibits the public disclosure of visual images created by the county medical examiner and their staff during death investigations unless a judge of the superior court balances the interests under the public records laws of this state and grants disclosure of all or part of the materials after an in camera inspection. Clarifies immunity provisions for the county medical examiner and alternate medical examiner.

**HB 2310 – Chapter 142 – criminal justice information; court reporting**

Requires the director of DPS to authorize the exchange of criminal justice information between the Central State Repository, or through the Arizona Criminal Justice Information System, and the Superior Court for the purpose of determining an individual's eligibility for substance abuse and treatment courts in a family or juvenile case.

**HB 2320 – Chapter 57 – county seals; approval of use**

Directs the county BOS to provide approval before a person may use, display or otherwise employ any resemblance of the county seal. Requires the BOS to issue a cease and desist order to any person in violation of this Act. Asserts that upon failure to comply with that order violators are guilty of a class 3 misdemeanor (30 days/ \$500).

**HB 2321 – Chapter 145 – procurement code omnibus**

Makes various changes to the Arizona Procurement Code by modifying the non-compete clauses for unsuccessful offerors and for persons with a significant procurement role from soliciting and/or accepting certain employment positions. Provides exceptions to the non-compete clauses under outlined conditions and with approval of the director of ADOA. Modifies the definition of *significant procurement role* and makes clarifying changes.

**HB 2330 – Chapter 146 – municipalities; deannexation; public right-of-way**

Allows a public right-of-way that is partially located in a municipality and partially located in a county to be deannexed from the municipality and returned to the county under certain conditions. Requires, via the deannexation process, the governing body of the municipality to adopt an ordinance that contains the legal description of the right-of-way and, if the BOS determines the public interest is served, requires the BOS to adopt an ordinance that contains the legal description of the right-of-way and declare the return of the right-of-way to the county to be contingent on the fulfillment of the conditions in statute.

**HB 2378 – Chapter 169 – municipal taxes and fees; prohibition**

Restricts a municipality from levying or assessing a municipal-wide tax or fee against property owners based on the size or value of real property or improvements to real property in order to fund any public service. Grandfathers in any municipality that adopted an ordinance requiring property owners to obtain fire prevention and control services before December 31, 2013.

**HB 2420 – Chapter 265 – \*membership; county supervisors; population threshold**

Modifies the population threshold requirement for counties to change the number of members on the BOS. Requires counties with a population between 150,000 and 175,000 people and consisting of a three member board to submit to the voters in that county the question of whether the BOS should convert from a three member to a five member board at the next general election following the release of the population estimate from the Office of Employment and Population Statistics. Requires the BOS to include in the election's publicity pamphlet an estimated cost to the county for the two additional members that would serve on the board.

**HB 2437 – Chapter 229 – public committees; repeal; sunset**

Repeals inactive statutory committees, provides sunset dates and makes various changes to active statutory committees. Repeals the following:

- State Commission on Civic Education and Civic Engagement
- State Agency Fee Commission
- Joint Legislative Oversight Committee on Residual Contamination of Drug Properties
- Community Notifications Guidelines Committee
- Probate Advisory Panel
- Task Force for Retraining Disabled Military Veterans
- Child Support Committee
- Domestic Relations Committee
- Joint Legislative Committee on Adoption Promotion
- Performance Based Incentives Oversight Committee
- Joint Legislative Committee on Transportation between Sonora, Mexico and Arizona
- Joint Legislative Committee on Federal Mandates

- Arizona Aerospace and Defense Commission
- Commission on Privatization, Efficiency and Competition
- Joint Legislative Committee on K-12 School District Receivership
- Arizona Housing Commission

Provides sunset dates for the following:

- Data Governance Commission: 2020
- State Emergency Council: 2021
- School Bus Advisory Council: 2024
- Regional Planning Agency Transportation Policy Committee: 2024
- Multistate Highway Transportation Agreement Cooperating Committee: 2019
- Debt Oversight Commission: 2026
- Joint Committee on Capital Review: 2026
- Joint Legislative Audit Committee: 2018
- Legislative Government Mall Commission: 2025
- Rural Business Development Advisory Council: 2021
- Arizona Peace Officers Memorial Board: 2019
- Senior Advisory Committee: 2019
- Joint Legislative Income Tax Credit Review Committee: 2022
- Oversight Council on Driving or Operating under the Influence Abatement: 2024
- Arizona's participation in the Education Commission of the States: 2020
- Compliance Advisory Panel: 2017
- Tobacco Revenue Use Spending and Tracking Commission: 2021
- Joint Border Security Advisory Committee: 2020

#### **HB 2477 – Chapter 94 – homeowners' associations; transfer fees; exemption**

Excludes a conveyance by recorded deed that bears an A.R.S. § 11-1134 (B) exemption from being subject to an HOA's disclosure statements as well as any fees relating to services for resale disclosure, lien estoppel and any other services related to the transfer or use of the property.

#### **HB 2522 – Chapter 211 – reviser's technical corrections; 2014**

Makes non-substantive technical changes to current conflicting statutes.

#### **HB 2528 – Chapter 97 – municipalities; regulation; sign walkers**

Prohibits a municipality that adopts reasonable time, place and manner regulations relating to sign walkers from restricting a sign walker from using a public sidewalk, walkway or pedestrian thoroughfare.

#### **HB 2615 – Chapter 177 – officeholder expense accounts; surplus monies**

Allows monies leftover in officeholder expense accounts to be used for donation to a political committee, other than a person's exploratory committee or a candidate's campaign committee, or to certain non-profit organizations unless the officeholder continues to hold an elected office immediately following their term.

#### **SB 1035 – Chapter 65 – \*special health care districts; reimbursement**

Directs Maricopa County to reimburse Maricopa Integrated Health System for any services provided rather than purchase services annually in an amount of at least \$5,000,000.

#### **SB 1082 – Chapter 218 – ASRS; employee background checks**

Authorizes the director of ASRS to conduct criminal records checks and credit checks of current or prospective employees and to require them to submit a full set of fingerprints to DPS.

**SB 1091 – Chapter 231 – sunrise; committees of reference; referral**

Requires health and non-health profession applicant groups to submit required written reports to the President of the Senate and the Speaker of the House of Representatives instead of JLAC.

**SB 1099 – Chapter 181 – Navajo code talkers' day**

Establishes August 14 of every year as Navajo Code Talkers' Day.

**SB 1132 – Chapter 183 – mobile homes; relocation expenses**

Specifies that mobile home relocation expenses due to change in use or increase in rent must only be paid from the Mobile Home Relocation Fund (Fund) to the installer or contractor after they have obtained valid moving permits for a new location and informed DFBLS that the mobile home is fully installed in its new location and has passed inspection. Increases the maximum reimbursed amount allowed from \$1,000 to \$1,500 from the Fund for the costs of bringing the mobile home into statutory compliance.

**SB 1150 – Chapter 72 – sewer connection; county islands; prohibition**

Restricts municipalities from requiring a property owner in a municipality's planning area to connect to the sewer system if the property is located in a county island unless DEQ has determined that connection is necessary to abate an environmental nuisance or to eliminate a threat to a water quality standard. Preempts all local laws, ordinances and charter provisions to the contrary.

**SB 1152 – Chapter 184 – passenger areas; transportation safety zones**

Allows municipalities to adopt a resolution or ordinance establishing passenger convenience areas and vehicle-for-hire lanes within no more than two transportation safety zones (zone) no greater than three square miles each. Outlines what must be included in the municipality's ordinance or resolution and allows the municipality to place permanently affixed signs to help delineate the zone boundaries. Prohibits any portion of the zone from including a state highway or state route.

**SB 1183 – Chapter 73 – fire access roads; limitation; sprinklers**

Prohibits municipalities and counties from adopting any fire code, ordinance, stipulation or other legal requirement for an approved fire apparatus access road, approved route or extension that would result in a one or two family residence, utility or miscellaneous accessory building or structure having to install fire sprinklers. Allows a fire code official to increase or extend an approved fire apparatus access road, approved route or extension to comply with this Act.

**SB 1184 – Chapter 112 – planned communities; definition; property easements**

Expands the definition of *planned community* to include real estate on which an easement or covenant to maintain roadways is held by a nonprofit corporation or unincorporated association of owners.

**SB 1213 – Chapter 74 – \*real estate advisory board; membership**

Adds a member to the Real Estate Advisory Board and requires that member to have been engaged in multifamily residential rental property management with a real estate broker license for the five years immediately preceding their appointment.

**SB 1215 – Chapter 187 – unsubdivided land; definition**

Expands the definition of *unsubdivided lands* to include any land sold that would otherwise constitute the sixth lot, parcel or fractional interest if the sale occurs 10 or more years after the earliest of the previous five sales and consists of property originally contained within the same parcel.

**SB 1305 – Chapter 78 – semipublic swimming pool barrier gates**

Requires locking devices for pool barrier gates to meet the requirements of a municipal or county regulation beginning January 1, 2015 unless the locking device was installed before that date and meets the locking device requirements outlined in statute.

**SB 1306 – Chapter 118 – governmental entities; credit card payments**

Allows a governmental entity to require a vendor to exclusively accept a specific method of payment for any goods or services provided by the vendor to the governmental entity but directs that requirement to be disclosed during the bid process or to amend the contract under mutual agreement. Requires applicable governmental entities to annually disclose the amount of any reward, discount, incentive or other financial consideration as a result of paying by credit card in their financial reports.

**SB 1314 – Chapter 247 – board of barbers; continuation**

- Continues the following agencies and programs for the corresponding amount of time:
  - Archaeology Advisory Commission for three years
  - Arizona Historical Society for 10 years
  - Board of Barbers for eight years
  - Board of Cosmetology for 10 years
  - Board of Pharmacy for eight years
  - Board of Physical Therapy for 10 years
  - DEQ for eight years
  - DFI for 10 years
  - ROC for 10 years
  - SBCS for 10 years
  - WIFA for eight years
- Adds language to the intent clause for the UST Assurance Account.

**SB 1326 – Chapter 120 – state parks; donations; fund; transportation**

Establishes the Sustainable State Parks and Roads Fund (Fund) and allows taxpayers to make a voluntary contribution on their income tax form to the Fund. Directs the State Parks Board to administer and use the Fund to operate, maintain and make capital improvements to buildings, roads, parking lots, highway entrances and any related structure used to operate state parks.

**SB 1387 – Chapter 252 [E]– \*special districts**

Contains various recommendations of the 2013 Countywide Fire District Study Committee including:

- Expands fire district boards (board) from three members to five members if they levy more than \$500,000 in taxes in a FY.
- Outlines financial reporting requirements for fire districts based on their total annual revenue.
- Requires board vacancies to be filled within 90 days and gives the county BOS the authority to appoint an interim member within 60 days after failure of the board to do so.
- Mandates a minimum of six hours of professional development training for board members and the fire chief within their first year of office.
- Prohibits nepotism between fire district employees and their relatives.

**SB 1482 – Chapter 83 – homeowners' associations amendments; omnibus**

Makes numerous changes to the statutes governing HOAs including:

- Prohibits the planning or zoning entity of a local government from requiring that a developer construct or enact a planned community as part of a subdivision approval or zoning ordinance.
- Allows an affected HOA to bring an action in superior court if there is reason to believe that a nuisance exists.
- Specifies lawful actions for the officers and employees of a management company or other lawfully formed and operating entity that is contracted with an HOA to provide management services including recording a notice of lien or notice of claim of lien against a member's property and appearing on behalf of an HOA in small claims court under specific conditions.
- Allows an HOA to provide for voting by use of electronic mail and facsimile delivery and states that votes cast by the use of electronic mail and facsimile count towards a quorum.
- Asserts that a unit or property owner may use their unit or property as a rental property in accordance with the declaration's rental time period restrictions unless it is prohibited in the declaration.
- Limits an HOA's authority in regulating the timeframe, size and number of political signs a unit owner may display on their property.